

JAN 18 2019

A BILL FOR AN ACT

RELATING TO THE BOARD OF PHARMACY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the role of the
2 pharmacist has drastically evolved over the past fifty years.
3 Pharmacists have moved beyond their traditional compounding and
4 dispensing functions behind the pharmacy counter and now provide
5 more patient-centered, primary-care based services, such as
6 medication therapy management, preventative care screenings, and
7 immunizations. Pharmacists are therefore well situated to
8 provide patient education and increase access to health care.

9 The legislature also finds that there is a need to
10 continually improve the effectiveness of health care delivery
11 systems, including pharmacies. One way of accomplishing that
12 objective is to utilize new technologies that enable health care
13 personnel to reallocate health tasks to better and more
14 efficiently meet the health needs of the public. The
15 legislature further finds that experimentation with new
16 technologies and combinations of health care delivery systems



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1 can enhance a pharmacist's ability to provide more patient-
2 centered services.

3 Accordingly, the purpose of this Act is to authorize the
4 board of pharmacy to approve pilot and demonstration research
5 projects for innovative applications in the practice of
6 pharmacy.

7 SECTION 2. Section 461-4.5, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "§461-4.5 Powers and duties. (a) In addition to any
10 other powers and duties authorized by law, the board:

11 (1) Shall adopt, amend, and repeal rules pursuant to
12 chapter 91, as it deems proper for the purposes of
13 this chapter, Public Law 100-293, and 21 Code of
14 Federal Regulations part 205;

15 (2) Shall examine, license, reinstate, and renew the
16 licenses of qualified applicants for registered
17 pharmacists and wholesale prescription drug
18 distributors, and issue and renew permits to operate
19 pharmacies;

20 (3) May require the inspection of any wholesale
21 prescription drug distributor premises in the State to



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1 ensure compliance with this chapter and rules adopted
2 under this chapter, or may require an applicant for a
3 pharmacy license to submit a statement that the
4 premises, including but not limited to security and
5 sanitation, are in conformance with the board's
6 requirements and that the applicant possesses the
7 reference materials and technical clinical equipment
8 and supplies as may be specified in rules adopted
9 under this chapter;

10 (4) May fine, suspend, or revoke any license or permit for
11 any cause prescribed by this chapter, or for any
12 violation of the rules adopted under this chapter, and
13 refuse to grant or renew any license or permit for any
14 cause which would be ground for revocation or
15 suspension of a license or permit; ~~and~~

16 (5) May deny a license to any applicant who has been
17 disciplined by another state or federal agency.

18 Notwithstanding any law to the contrary, a final order
19 of disciplinary action taken pursuant to this
20 paragraph shall be a matter of public record~~[-]~~; and



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1 (6) May approve pilot and demonstration research projects
2 for innovative applications in the practice of
3 pharmacy; provided that the projects shall not include
4 therapeutic substitution or substitution of a medical
5 device used in patient care; provided further that
6 nothing in this paragraph shall be construed to expand
7 the definition of "practice of pharmacy" as defined
8 under section 461-1. The board may also:

9 (A) Approve a project that implements a drug take-
10 back program to permit pharmacies to accept
11 prescription drugs for return, exchange, or safe
12 disposal;

13 (B) Approve a provision that grants an exception to
14 any rule adopted under this paragraph;

15 (C) Extend the time an exception to a rule is
16 granted, as may be necessary for the board to
17 adopt an amendment or modification to the rule;

18 (D) Condition approval of a project upon compliance
19 with this section and any rules adopted under
20 this section; and



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1 (E) Rescind approval and terminate a project if, at
2 any time, a project fails to protect public
3 health or welfare."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.
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Report Title:

Board of Pharmacy; Pilot and Demonstration Research Projects

Description:

Allows the board of pharmacy to approve pilot and demonstration projects for innovative applications in the practice of pharmacy under certain circumstances.

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